

That is my question to my friend from North Dakota.

Mr. DORGAN. Let me say to Senator MCCAIN that I expect the job of majority leader is a pretty tough job. I have watched from Bob Dole on, Tom Daschle, and so many majority leaders and minority leaders try to run this place. It is pretty hard to run. Trying to figure out a schedule is pretty difficult. So I respect the difficulties of juggling all these things.

With respect to the specific letter Senator MCCAIN referred to, Senator MCCAIN, I, and Senator SNOWE all talked to the majority leader about this issue when the tobacco bill was on the floor of the Senate because we were fully intending to offer our prescription drug reimportation bill.

The majority leader did say to us, and then put it in writing, did say to us: I will guarantee you that you will get that up on the floor of the Senate. So that was a commitment by the majority leader. And he understands that commitment.

When I saw the letter he wrote, I went to him immediately, and he and I talked about that. Because I indicated to the majority leader: You have indicated that as soon as practicable, or perhaps at the end of the year.

I said to the majority leader: You should understand that if it is not up before health care, it has to be offered on health care. Because that is exactly where it fits. Nobody can come to the floor and say: We have to do health care. We have to try and control costs and put some downward pressure on prices. But, by the way, you cannot offer a piece of legislation that would put downward pressure on prescription drug prices. I said: That cannot be the case.

He understood and said: I understand that. That is going to be at the front end of this debate on health care. Based on that representation, I feel confident, I would say to Senator MCCAIN, I understand the confusion in the reading of the letter, the writing of the letter, but I feel confident, having talked to Senator REID, that we are going to have ample opportunity, right at the front end of this debate about health care, to have a full debate, to have a vote up or down, which is what we need to do, obviously. I think everyone in this Chamber, every Republican, every Democrat, needs to be on record: How do they feel about their consumers paying the highest prices for prescription drugs in the world? How do they feel about a bill we put together that has pedigrees and batch lots, all the safety so our consumers can have the freedom to access these lower priced drugs?

I think we can do that.

Mr. MCCAIN. Would you not feel better if the letter said—I know I would feel better if the letter said: I expect this issue to be brought up in the health reform bill.

Instead, there is a loophole, with all due respect, that if it isn't addressed

during the full Senate's consideration, "I guarantee I will move to it before the end of the year." Each day going by, seniors and, in fact, all citizens are paying a higher price for prescription drugs. Frankly, we should never have made that agreement when the tobacco bill was taken up because we could have passed it. Today seniors could be paying as much as 60 percent less for their prescription drugs. But we know what happened. The pharmaceutical companies weighed in with all of their clout. I urge the Senator from North Dakota to go back and get this language changed. The majority leader looked me in the eye and said: We will take this up after we finish the Department of Defense appropriations bill. And then decided not to do it. Maybe the Senator from North Dakota understands why I am skeptical about the interpretation of a letter that could be interpreted so that we don't take it up in the health care reform bill.

Mr. DORGAN. Mr. President, I understand the anxious state of all of us to do what we have worked on for so long. I understand. I also understand that the letter probably could have been more artfully drawn. I understand from my conversations with Senator REID, the majority leader, that he fully understands and expects us to be planted on the floor when health care comes here and to offer our amendment and have a full debate and vote. If there is an attempt when we debate health care to decide that 30 of us Republicans and Democrats somehow don't have the opportunity we have been promised on the issue of prescription drug prices, in my judgment they are going to have an awful time getting any health care bill through this place. Because you can't say to me or to anybody else: We will do the bill we want to do and, by the way, prescription drug prices that are going up by double digits, we are not going to give you a shot at that.

Let me make one final representation. I said when I started, it is hard to schedule this place. I understand that. The Senator from Arizona knows we have had noncontroversial bills where we couldn't even get past a motion to proceed without having a filibuster to something that is noncontroversial. If I am majority leader, I am thinking this is not easy to do. I am sympathetic to the job he has to try to do all these things. I am convinced Senator REID will keep the commitment he made to us. I am convinced that commitment will be kept when we get health care on the floor. I don't want it to be in the middle or toward the end. I want to be here front and center at the front end because the bill we have put together is a strong bill dealing with a very important issue.

Mr. MCCAIN. If the Senator will yield further for one final question.

Mr. DORGAN. I am happy to yield.

Mr. MCCAIN. I have great sympathy for attempting to schedule legislation in this body. I think our friend Trent Lott maybe didn't invent it, but he

used to say that it is like herding cats, conducting business in the Senate. I agree with that.

I know the Senator from North Dakota is aware that no matter what the problems are, if the majority leader says: I will take up this bill, then you have to take his word. My question to the Senator from North Dakota is, can we get a commitment from the majority leader that parliamentary procedures will not be used to block consideration of the issue of importation of pharmaceutical drugs?

Mr. DORGAN. Mr. President, I believe that commitment has already been made by the majority leader.

Mr. MCCAIN. The letter is ambivalent.

Mr. DORGAN. I understand that. That is why I said I think the letter perhaps is not artfully drafted with respect to that last paragraph. I believe that commitment has been made to me because I went to the majority leader following the release of that letter. I have found over a long period that when the majority leader gives me a commitment, I believe he will keep the commitment.

Mr. MCCAIN. I have not had that experience.

Mr. DORGAN. I understand, but I believe the Senator will have that experience when health care comes to the floor and he and I are on the floor with our colleague Senator SNOWE and others pushing for a solid piece of legislation that has broad bipartisan support. The Senator then will understand the commitment was made and the commitment was kept. I believe that will be the case.

Mr. MCCAIN. All I can say to my friend is, if we can get a commitment that parliamentary procedures will not be used to block consideration of an amendment concerning importation of prescription drugs, I will withdraw this amendment from this bill.

Mr. DORGAN. I believe that commitment has been made to me. In any event, we are here on the floor on a Wednesday talking about something I believe is very important, and we have worked on this for a long time. We have spent a lot of time working on it. I don't intend to decide: OK, somebody is going to put up some barriers and that is OK with me. That is all right. And I don't think Senator REID is going to do that. He has made a commitment to me that will not be the case. I am convinced that Senator MCCAIN and I and others who have put this legislation together will have our day, and everybody else will have to stand up and say yes or no. I hope when the roll is called, we have sufficient numbers, finally, at long last, to pass legislation that should have been passed 8 years ago. Again, I appreciate the comments Senator MCCAIN has made this morning. I will have further visits with him.

I know Senator MIKULSKI has a bill on the floor she wishes to manage, and we don't want to be in the way of that.